



Senator Rob Olson
23rd District

Statehouse 441-E
785-296-7358

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TO: Senate Judiciary Committee

Thank you for the opportunity to come before you and testify on behalf of SB 39 which strengthens the Kansas Sexual Offender Registry program put in place in 2006. This program was first instituted as a way to alert and protect members of the community from convicted sexual offenders and been a great success here in Kansas and around the country.

The key pieces of this bill are to create a new class of offender, create a "safety zone" around schools, and increase scrutiny of offenders whose victims were under 16 years of age.

The bill modified residency restrictions from the 2006 law creating a new category of offender to be added to the definition list in K.S.A. 22-4902. The new category would be called "aggravated sex offender." For an offender to qualify for this new category, at least one of the victims of the crime he or she is convicted of must be less than 16 years of age.

This new category of offender would be prohibited from residing within 2,000 feet of a licensed child care facility, registered family day care home, or USD or accredited school.

The bill would modify registry requirements for the new class, Aggravated Sex Offenders. The new requirements would force offenders to notify law enforcement within 24 hours of moving. Failure to register with the state would qualify under K.S.A. 22-4903 for a severity level 5, person felony.

Finally the bill would add a label to Kansas driver's licenses issued to Sexual Offenders. The new license would have an "Offender" label which would be color coded to indicate to law enforcement officers if the offender's victim was an adult or minor.

I strongly believe this bill will correct some critical lapses in current state law which will give Law Enforcement the tools necessary to protect our children.

Thank you again for the opportunity to testify before you today.

Senator Rob Olson

Senate Judiciary

2-8-11

Attachment 6

ATTACHMENTS:

KCSO Booking Form.
 Victim name and address deletion form (CV 1)
 Copy of CPS Referral.
 Delgado's Apology Letter to CV-1.

NARRATIVE:

On 07-16-2009, at about 0800 hours, I received a CPS Referral from dispatch regarding sexual abuse on CV-1 by her friends father James Delgado.

At about 1230 hours, I responded to the Women's Center to obtain a statement from CV-1. Present at the Women's center was Karen Stone, who is a member of SART. CPS Worker Trina Brown, Intern Counselor Lorraine Beeson and CV-1's mother Tamara Khalifea. CV-1 told me the following:

CV-1 told me on 07/14/2009 she was staying the night at her friends house (633 E. Church Av.). She fell asleep with her friend on two mattresses pushed together in the living room of the house at about 0100 hours. CV-1 stated she was awakened by her friends father, James Delgado rubbing her back. At this time he began to rub her vagina and buttocks underneath her clothing. CV-1 told Delgado to stop however, he continued. She told him to stop again and this time Delgado stopped and left the living room.

CV-1 stated that Delgado had been drinking because she could smell it on his breath during the incident. I asked CV-1 if Delgado penetrated her vagina or buttocks. She said, "No." I asked her if Delgado's daughter was awakened during the incident. She said, "No." I asked CV-1 how close she was to Delgado's daughter during the incident. She said, "I was able to touch her."

CV-1 stated she woke up at about 0930 hours, in the morning and noticed there was a text message on her phone that was sent at 0700 hours, from Delgado. The message said "Have a nice day." CV-1 received another text message from Delgado at about 0930 hours. The message said, "I am sorry and to not say anything." CV-1 received a third text message from Delgado. The message said "Do you sort of like it" referring to the incident. I asked CV-1 if she saved the text messages from Delgado. She said, "I deleted them." CV-1 told me she left Delgado's house at about 1500 hours later that day.

CV-1 told Delgado's daughter about the incident. CV-1 told another friend about the incident. The friend contacted Delgado's daughter and told her again. CV-1 stated that Delgado's daughter confronted her father about the incident. Delgado put his head down and started to shake it.

CV-1 stated that she has known Delgado since she was in second grade and is really good friend's with his daughter. She told me she considers Delgado as a father figure because her father passed away. She has also stayed the night at Delgado's house on several occasions and nothing like this has happened before. CV-1 had no further information.

At about 1400 hours, Officer Gillette, Trina Brown and I responded to Delgado's residence (633 E.

Prepared By: 9905 HAMILTON, EDDIE	Date: 07/16/2009	Approved By: 6026 OBERGFELL, ROBERT	Date: 07/18/2009
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RIDGECREST POLICE DEPARTMENT

100 W CALIFORNIA AVE RIDGECREST, CA 93555 460 499-5100

09-2385

NARRATIVE

Church) to obtain a statement. I contacted Delgado's wife who told me that Delgado was working in the field. I advised her that I needed to speak to Delgado regarding an incident and asked if he would meet us at the station. She told me she would call him and he would meet us at the police station.

At about 1500 hours, Delgado arrived at RPD. I walked Delgado to interview room A. Officer Gillette and I conducted the interview.

I asked Delgado if he knew why I wanted to talk to him. He said, "Because of the inappropriate touching of CV-1." I asked Delgado to tell us what happened. Delgado told us the following:

Delgado had received a "chilling" phone call from his daughter's friend regarding the incident involving CV-1. I asked Delgado to tell us about the incident. Delgado stated that CV-1 was staying the night with his daughter at his house. Delgado had been drinking and doing work around his house. He passed out on the couch and later woke up.

At this time he went and laid down on the mattress in the living room next to CV-1. He stated he was "spooning" with CV-1. I asked Delgado what spooning ment, He said, "I put my chest against her back and my arm around CV-1 chest area."

Delgado told me the next thing he knew he was in bed with his wife. Officer Gillette asked Delgado if he rubbed CV-1's breast's, vagina and buttocks. Delgado hesitated and said, "I don't know, I hope not." Delgado stated after he has been drinking he gets in bed with his wife. She tells him he starts putting his hands all over her. Delgado stated he doesn't know he's doing it.

We asked Delgado about text messesing CV-1 the day after the incident. Delgado said he was text messaging CV-1 about the incident. Delgado said he deleted the messages but said CV-1 told him about "Feeling wierd about the night before" Delgado would not go into details about the conversation he had with her.

Delgado continued to say he could not remember if he touched CV-1 in the manner as alleged. We told Delgado that we did not believe his story. At this time Delgado started crying and said, "I'am sick and I need help." I asked Delgado what kind of help he needs. He said, "Mental help and talk to a counselor.

We asked Delgado to tell us what really happened. Delgado stated he got into the bed next to CV-1 and put his arm around CV-1 and started to rub her. Delgado said he was rubbing "Everything in arms reach." We asked him what he meant by everything in arms reach. He said, "Her breasts, crotch and buttocks.

We asked if Delgado if he rubbed CV-1's vigena inside the clothing. He stated he did rub her vigena but did not penetrate. We asked if he was testing the waters by touching CV-1. Delgado said he was testing the waters but the "the second the wierd thing was brought up" he was done.

At this time Delgado was Mirandized and taken into custody. Delgado invoked his right's and no further questions were asked.

Prepared By:
9905 HAMILTON, EDDIE

Date:
07/16/2009

Approved By:
6026 OBERGFELL, ROBERT

Date:
07/18/2009

6-3

Honey I'm so sorry for what I
did to you. You are a beautiful person
with a good heart. You have a
wonderful family and friends. I
want you to know that none of this
is your fault and I will get help.
I love you, kid and your whole family.
I hope that this all passes and
someday the Kodyaks will forgive me.

Love,

James

6-4

1 RESOLUTION NO. 8289

2
3 A RESOLUTION introduced by Councilmember Jack Woelfel supporting efforts to
4 strengthen and enhance Kansas state law with respect to registered
5 sexual offenders.
6

7 NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF
8 TOPEKA, KANSAS, that the City of Topeka strongly supports efforts to strengthen and
9 enhance Kansas state laws with respect to registered sex offenders. Education,
10 monitoring and enhanced community awareness to keep children as safe as possible at
11 home, in neighborhoods and at school should be the goal of government, parents and all
12 citizens. Effective and efficient provisions should be supported to better protect our
13 children.

14 ADOPTED and APPROVED by the City Council September 14, 2010.

15 CITY OF TOPEKA, KANSAS



22 ATTEST:

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27

William W. Bunten

William W. Bunten, Mayor

Brenda Younger

Brenda Younger, City Clerk



August 31, 2010

Dear Fellow Concerned Olatheans:


As you know, registered sexual predators living in our neighborhoods and near our schools is an issue I take extremely seriously. I have shared these concerns with my colleagues in the City Council, our delegation, and I have already visited with the O Police Chief.

In the coming weeks, we will be discussing the City's position relative to the state law when we address our State Legislative platform. The following language will be considered.

The City of Olathe supports efforts to strengthen and enhance Kansas state law with respect to registered sexual offenders. That would include strengthening provisions designed to keep children as safe as possible, especially in neighborhoods and near schools. In addition, enhancements should ensure both state and local governments improved abilities to monitor offenders and ensure adequate community awareness offenders' whereabouts.

I will keep you updated as we move forward.

Sincerely,


Larry Campbell
Olathe City Council Ward 1

6-6

The Somer Thompson Foundation

There are few things more important in this life than protecting our children from persons who would do them harm.

We are aware that placing restrictions upon those who have demonstrated their lack of respect for our children does not insure their safety. However, no one made these people commit their heinous act(s) against children in the past and it is our responsibility, as decent human beings, to do everything in our power to protect the innocents in our care from this evil among us.

Our statutes do allow us to dictate liberties to those who violate other laws, i.e., if you drive under the influence, your right to drive is suspended or revoked. In some states, we are also allowed to brand that persons vehicle to show the world that they are a previous offender. Why would we afford any less protection to our children.

We realize that not all sexual offenders can be painted with the same broad brush. There are those who are labeled sexual offenders even though they have never abused or molested a child. Unfortunately, there are those that have and we should not risk our children for their convenience. Dictating where they may or may not live is a small price to pay for acts they have already committed.

Having lived the horror that is having a loved one taken from this world because of one selfish persons' deed is not something anyone else should have to bear. As such, we would urge you to consider placing whatever restrictions upon those who have already violated the morality of the good people of this world.

Sincerely,

Diana Thompson

President

The Somer Thompson Foundation

Tammy Khalifeh's Letter

My name is Tamara Khalifeh and I am the mother of Rana Khalifeh, now fourteen, who was molested by James Delgado at the age of thirteen. Having been in contact with residents of Kansas and especially among those involved with the association "Kansa rights 4 Kids", I feel compelled to share our story with you.

My husband became ill in 2003 with Multiple Myeloma, a blood related cancer, which also led to end stage renal failure requiring Dialysis 3 days a week. My daughter, Rana was friends with James Delgado's daughter Tristin, and as my husband's health continued to fail, the Delgado's became close friends to my entire family. James encouraged Rana to join a local soccer team he coached for. As time passed Rana also played basketball and softball, again on teams coached by James Delgado. As the girls aged, some of the sports were being coached by more experienced men, however James was always present at the practices and continued to have hands on drills with the girls. By girls I refer Rana and his two daughters, as well as other girls he had originally coached.

When Rana lost her father in April of 2003 James stepped in and offered love and support to Rana, She and Tristin became best friends and spent days at a time together, usually at the Delgado's home, including the night she was molested. This man whom my family loved and trusted, betrayed us in such a way that I find it hard to trust anyone again, especially with my children.

In July of 2009, Rana stayed the night with Tristin. The Delgado family had been under preparation for their move to Olathe, Kansas. Rana stated her and Tristin were laying on mattresses in the living room and James Delgado was laying on a sofa in the same room. He texted Rana asking if she wanted a back rub or massage. Rana refused, texting back to James that she was too tired to get up and was going to sleep. He texted back telling her there was always room on the couch next to him if she changed her mind. Rana then said she woke during the night finding James Delgado laying next to her on the mattress and rubbing her back and moving his hands down to her buttocks, inside her clothing. She moved away, turned over and tried to go to sleep again. She woke a second time to James hands on her stomach, then pushing inside her panties to rub her vagina. Rana pushed him away and told him to stop. He continued to grope her, touching her as Rana continued to push him away. When asked if said anything during this molestation, Rana stated he said her name over and over again, and told her to come closer to him. Eventually he stopped and after a time got up and walked to his room.

James Delgado's defense was that he was drunk and thought he was in bed with his wife, however there was absolutely no evidence to show that he was intoxicated, rather, as I have mentioned, that he was able to text Rana just prior to the incident. Rana testified that the following morning she received a text message from James asking if she "liked it", when she responded asking what he meant, he texted "last night".

My daughter stayed in their home until picked up by the mother of another friend for soccer practice. Only then did Rana find the courage to speak of her abuse with another friend. That evening, Rana called me and told me what had happened. She had also attempted to tell Tristin who called her a "liar". Picking Rana up that evening I found James wife there as well. She had brought Tristin to talk to Rana. Tristin told Rana her dad told them the truth, that what Rana said was true, and she was sorry she hadn't believed her.

Once James Delgado was arrested, he admitted everything to the police, however claimed "not guilty" at the pretrial. The following six months was frustrating as he and his lawyer filed continuations, until February of 2010 when the trial finally took place. All Rana and I ever wanted was some jail time, determined by the courts, and for him to have to register as a sexual offender.

To paraphrase what was required of the jury they had to find four elements to be true, he had to have done the act (he admitted to that on tape), the victim must be under fourteen years old (she was thirteen), he had to have shown an unusual sexual interest in her (texts, back massages), and he had to be consciously aware of what he was doing (not intoxicated). Twelve jurors found all four elements to be true.

As you can see the emotional betrayal of a friend and father figure has left us more wounded then the actual physical abuse. In Rana's "Vicim Impact Statement", she commented that she felt like she had lost her father for a second time. That this man has been watching my daughter, grooming her, sickens me. How as a mother could I not see what he wanted. Rana is a quiet and shy little girl. I believe James Delgado was counting on her trust in him to

continue to do what he attempted that night. His family were to be in Kansas during the summer, while he remained here in Ridgecrest. He would have had access to Rana without his family around. That is so frightening to me.

Now that I have told you our story, and I know it could have been so much worse, I would like to address the issue Kansas is now addressing. Should child molesters be allowed to live anywhere they choose, unrestricted? I think of it as a recovering alcoholic living across the street from a liquor store. He gets the urge to drink, walks across the street and when in minutes, has a drink. Suppose he lived many miles away. He would need to find his keys, get in his car, drive towards the store. Stopping at traffic signals and stop signs all the while having an inner battle to resist the temptation. That man, he may be able to turn around and head home, not buying and not drinking. Had that been a man fighting the urge to molest a child, a little boy or little girl would be free from assault. We may never know how many "close calls" there are. But to allow molesters to have easy access to children shows not only irresponsibility towards protecting our children, but also a lack of moral values. Politics should have no place in providing the safety of children from known molesters. As the parent of a very "close call", knowing things could have been so much worse, I cringe at the thought of men living close enough to watch children on a regular basis. Allowing them to be near schools, parks, and sports events is like handing that recovering alcoholic a drink, and telling him he can look at it, but not drink it.

My plea to you today, is to imagine that child is yours, and that man is watching her, he is holding her hand, offering a smile, bewitching her with his charm and sincerity. Because that is what they do. They bewitch us, they are getting close to us and all the while waiting, waiting for the right moment. Or for some, they are strangers who grab our children, without a thought, without remorse. Please look deep within yourself, for I do not seek to continue to punish the man who molested my daughter, but rather to ensure no other child is left in his care, where he can once again have the opportunity to follow through on an urge as he did with Rana.

Could your child be at risk? Should your political view override what your heart tells you? Please protect your children. That is all I ask.

Sincerely,

Tamara Khalifeh

Rana's Letter

Hi. My name is Rana Khalifeh and I was molested by James Delgado. I do understand that Kansas is working on a law to make sure molesters do not live near schools. I think you should enforce that law. James Delgado was like a second dad to me, when he did that to me he made me lose a best friend and second family that I loved. If James lives near a school he may be able to do the same thing to another child as he did to me. I am working on forgiving him but it is hard. James was a man I trusted and a man that I loved as a father, for him to do this was wrong! He should have no right to get close to another child again. I believe by enforcing this law Kansas would be saving kids from getting molested.

Sincerely,
Rana Khalifeh

Michell Prothe, Olathe, KS

Subject: Introduction
What is a True False Sense of Security?

Thank you Chairman Owens and Committee members for taking the time to consider this bill and allowing us to speak on its behalf today.

This testimony is a compilation of individual testimonies and concerns shared by many people in Kansas. A list of those who have contributed information to this testimony is in your packets. Our concerns come not only from us, they also stem from the almost 450 supporting members on our Kansas Rights 4 Kids Facebook page.

Briefly, I'll explain how our involvement with restricting child sex offenders came about:

This summer, James Delgado, a convicted child sex offender, moved to the Scarborough subdivision. He moved to a cul-de-sac a mere 208 feet from the Scarborough Elementary playground where most of our children go or have gone to school. He lived within the same cul-de-sac as some of our members and their families. While he was living next to the elementary school, Mr. Delgado was solely supervising adolescence without consent of some of the parents, who did not have knowledge of his previous crimes. This is where the controversy started, but it is not where it ends. He served as a spark to illuminate a problem that affects every neighborhood and every school and every child in Kansas. You will find a copy of the police report regarding the crimes Mr. Delgado committed in your packet.

I will only spend a minute on Mr. Delgado to help paint a picture of our story and at the end of the presentation you will hear from his victim via letter. There is also a heartbreaking letter from her mother in your packet. James Delgado was a community volunteer and youth coach in the state of California. In January of 2010, he was convicted of molesting his 13 year old daughter's best friend. He is a real deal child sex offender. He pled down from sexual battery of a child to annoying/molesting a child and served 120 days in jail in California. Upon release, he moved directly to Kansas to the cul-de-sac across from a school. Parents were outraged and sat in disbelief that he could be allowed to live so close to a school playground and interact with a new set of children where his crime was unknown to most neighbors. We were not actively notified he was even an offender. A single mom with a teenage daughter, who lived across from him, researched her new neighbor through the Family Watch Dog website and learned of his convictions. She then notified her neighbors.

What unfolded over the weeks that followed was research by a group of neighbors. We found out that Kansas does not restrict where convicted child sex offenders live and how they interact with children. As we talked to other neighbors, friends, and community leaders about this, the initial reaction was almost always the same. Nearly everyone falsely assumed that Kansas law restricts where and how child sex offenders interact with children of the community.

Our group of parents spoke to community leaders and political figures. We wrote letters to the media asking if they were aware that Kansas does not impose ANY restrictions. The community responded through incredible support of:

Senator Rob Olson
Olathe Councilmember/Former Mayor and State Representative Larry Campbell
Sedgwick County Commissioner/Former Wichita City Councilmember Jim Skelton,
Topeka Council Member Jack Woelfel and
The Topeka City Council.

You will find letters of support in your packets from these figures as well as a resolution of support to change child sex offender laws in Kansas that was passed unanimously by the Topeka City Council.

The Scarborough neighborhood story ended well. Kansas law enforcement and our local Dept of Corrections officers personally intervened in Mr. Delgado's case and he has been prevented from residing next to a school and his actions are now being monitored. Not all cases will end this way. The fate of Kansas children should not be left to chance and to persistence of neighbors and citizen groups.

We do not believe these types of child sex offender laws provide a false sense of security as some have suggested. We are not operating under the false pretense that the passing of this legislation guarantees that our children will not get sexually assaulted. But the chances will be decreased if we implement a healthy buffer zone between children, their parents and the people who have proven they harm innocent children. The real false sense of security comes from the fact that the majority of Kansans believe that these types of laws are already in place. Many of us had a false sense of security before we found out the truth. It is only now we know the true danger our children are currently in.

Donna Sibai Wichita, KS

Subject: Kansas is Surrounded by States with Child Sex Offender Legislation
 Child Sex Offenders Who Live By Schools and Attend Youth Events Are
 Not Strangers
 Child Sex Offender Tracking Issues
 The Somer Thompson Case

Thank you for listening to our concerns. I am going to address some of the issues we have encountered throughout this experience.

While I know child sex offender legislation is controversial for some I would like to talk about what may happen, if we do not pass child sex offender restrictions. Kansas is in a unique position; ALL of our surrounding states have legislation preventing access child sex offenders have to their children. Colorado, local municipalities have restrictions in place, including Denver and surrounding suburbs, in Missouri 1000 feet from schools and

child care facilities and 500 foot safety zones, Oklahoma 2000 feet from schools and child care facilities, Nebraska 500 feet from schools and child care facilities, Arkansas 2000 feet from schools and daycares, and Iowa 2000 feet from schools and parks for violent offenders and 300 feet "child safe zones." Kansas and Montana are the only 2 states in the U.S. that do not have any laws restricting child sex offenders from working in schools with children. Thank goodness our school districts conduct background checks for teachers and staff. However parents and volunteers at schools are free to come and go without anyone questioning their criminal history. If you were a convicted child sex offender fresh out of jail looking for a place to make new roots out of all these states which one looks most appealing? We need this legislation not only to help us protect our kids; we need it so we don't invite child sex offenders in to our borders.

A common issue we have read about is the contention that restrictions against child sex offenders do not keep offenders away from potential victims. People in my community, the Scarborough neighborhood, know from personal experience that a child sex offender who lives near a school and is allowed to frequent the playground and youth events is not a stranger to the children or parents. Children and parents see this offender's familiar face every day coming to and from school. He or she becomes an acquaintance or even a friend. This is especially true if the convicted child sex offender is seen, supervising neighborhood children who may or may not be a relative to him or her at the school playground. In a case like this the offender is viewed by parents and children at the very least as an acquaintance. These people do not fall in to the "stranger danger" category. People who live near schools and frequent areas where children gather are acquaintances and friends, NOT strangers. Acquaintance and friends account for 59% of sexual assaults against children.

Iowa and Florida have reported issues with tracking sex offenders; some are forced in to homelessness. Something no one has seemed to address yet is that both of those states not only have a state law, local municipalities also made laws banning sex offenders from city limits creating a housing issue. Also please think about how the laws were enforced? Most states that have child sex offender specific restrictions have not reported those types of problems. Kansas can do better.

I would like to also talk about the case of Somer Thompson in Florida. Enclosed in the packet is a letter from her mother and the Somer Thompson Foundation appealing for all of you to approve this legislation. The Foundation is actually asking for Florida to change their residency restriction to a mile radius. For those of you not familiar with the Somer Thompson case she was a 7 year old girl who was kidnapped, molested, and murdered while walking home from school. Her body was found 2 days later in a landfill. The person who is on trial for this heinous crime had pending child pornography charges against him that had not yet been prosecuted when Somer disappeared, he also lived in her school zone. Children she walked home from school with said Somer would stop and pet a small white dog at the home where her accused murderer lived. There is very little doubt that he did not commit this crime. Please do not wait for a Kansas child to be harmed before doing taking proactive measures. When a child goes missing who are the some of the first people law enforcement check up on? Convicted child sex offenders

who live near the victim or places the victim frequented. Why would they do that if the proximity of child sex offenders to children did not matter?

Lesley Ramirez Olathe, KS

Subject: Issues with Statistics
 There is Support for Child Sex Offender Restrictions
 What May Happen if Restrictions aren't Passed on a State Level

We all know there are statistics out there that say residency restrictions are not proven effective. Before making concrete decisions based solely on this data please take a close look at it. None of us are expert statisticians nor have the resources to hire experts but just with our layman eyes we found some pretty big issues with these studies by doing some research on our own.

1. These studies that do not support restrictions against sex offenders do not exclusively pertain to child sex offenders who have offended against children 16 years of age and under; parts of this bill covers this specific population. Some go as far as to lump all sex offenders in to the statistics. That would have made sense at the time considering many states were doing the same when they were writing their original sex offender legislation. But there is no point in following a person who had crimes against an adult or "Romeo and Juliet" cases and whether their proximity to children effects whether they commit another crime.
2. The time frame these studies were conducted was not long enough. Many experts say recidivism studies need to be conducted for 5-10+ years since rates only increase as the year's progress. The studies we have reviewed, the amount of time ranges from 15 months to the most amount of time at 6 years. Most were only conducted over 2-4 years, clearly not long enough as recommended to judge recidivism.
3. The studies only focus on convictions. What about crimes that were never fully prosecuted or even reported? In the Wichita Eagle a recent article stated there are 440-515 incidents of child sex abuse reported each year. In 2009 only 128 were actually charged that's only 'charged' not convicted. When only 10% of child sex crimes are even reported, how can anyone rely completely on statistics to make such an important decision regarding our children's lives?
4. As some studies state there is no correlation to where a child sex offender lives and their reoffense rates, there are also studies that say that child sex offenders choose to live closer to places where children gather than other types of sex offenders. A study in Arkansas concluded that child sex offenders choose to live closer to where children gather because of access to potential victims.

In 2006 when Kansas lawmakers considered residency restrictions they were deemed not best for Kansas based off research we consider irrelevant to this proposed bill. During this time the Judiciary on Committee report recommended with a representative from the Des Moines, Iowa Attorney General Office that Kansas adopts "safety zone" legislation and that recommendation was ignored. The Iowa County Attorney Association (who is quoted on the Kansas Department of Corrections website) has supported "child safe zones" since 2006. Iowa passed "safe zone" legislation this past year in addition to their 2,000 foot rule for violent predators. More recently during testimony with the Committee on Corrections and Juvenile Justice, Corrections Secretary Roger Worholtz stated that "safety zones" were worth looking in to. While "safety zones" are a very important part of the bill, they go hand in hand with residency restrictions. It does not make sense to put a limit on how close a child sex offender can loiter in regards to a school when they can live in a home backed up or across the street from that same school.

In conclusion if state legislation is not passed to put a buffer between children and child sex offenders we will be forced to start pushing for laws at the municipal level. Then we may end up in a situation like Florida or Iowa. This legislation needs to be at a state level, however, but in order to protect our kids we will do whatever it takes. Experts agree child sex crimes are crimes of opportunity, please ensure our children are not served up on a platter.

Shane Wood

Subject: Personal Experience with a Child Sex Offender
Child Sex Abuse Victim Statement

My name is Shane Wood. I have been a proud Kansan for most of my life. I am a former law enforcement officer, a current business owner and more importantly, a proud father of two.

In May of last year I found out that a new neighbor, convicted child sex offender James Delgado, moved in two doors down from my family in the cul-de-sac we've lived in for the last 10 years. We chose this house due to the fact that it was directly across the street from the school the school that my kids would attend.

Throughout our efforts to gather information about the current Kansas laws and try to understand why child sex offenders are allowed to live within such a short distance to where our children go to school and gather to play we were contacted by the mother of Delgado's victim Tammy Khalifeh.

Due to time constraints, I would like to paraphrase her letter to us. Tammy told us a story about how Delgado, a respected youth coach and member of their small Lawrence-sized community, stepped in to offer support when Tammy's husband passed away from blood related cancer. Since Tammy's daughter Rana and Delgado's daughter were best friends it seemed like natural fit. Considering Delgado had coached his daughter's teams and the

victim had been on most of them, no one thought anything of it. Tammy's letter goes on to say how, on the night of the assault, Rana spent the night at the Delgado's house. Without going in to the details of the assault, you can read them in the police report included in the packet, not only did an assault take place but he texted his victim not only to ask for her silence but to further ask if she liked it. A letter from the victim's mother is also in the packet but I would like to read a note from Rana herself.

"Hi. My name is Rana Khalifeh and I was molested by James Delgado. I do understand that Kansas is working on a law to make sure molesters do not live near schools. I think you should enforce that law. James Delgado was like a father to me, he made me lose a best friend and a second family that I loved. If James lives near a school he may be able to do the same thing to another child as he did to me. I am working on forgiving him but it is hard. James was a man I trusted and a man I loved as a father, for him to do this was wrong! He should have no right to get close to another child again. I believe that enforcing this law Kansas would be saving kids from getting molested."

Sincerely,

Rana Khalifeh

Please understand this is bigger than James Delgado. This is about protecting our children the best we can.

One thing I failed to mention at the beginning of my story is that the day that I found out our new neighbor, a man I had yet to meet and a man who is a convicted child sex offender, had earlier that day taken my 12 year old daughter and her best friend, who happens to be Delgado's cousin, to a swimming pool without my knowledge or consent. I believed that the mother of my daughter's friend was to be the chaperone. This happened only days after his release. He also showed up to the softball fields every night to watch my daughter's team play ball under the false pretense that he is watching his cousin.

If this were a poker game, please tell me which one of you are willing to gamble with your child's innocence?



September 10, 2010

Ms. Carol O'Dell
9468 E Skinner
Wichita KS 67207

Dear Carol,

I wish to express my thanks for enlightening me about the issues regarding child sex offender laws and the work that *Kansas Rights 4 Kids* is undertaking. Our free society requires active citizens, and I wish to commend you and others involved in *Kansas Rights 4 Kids* for your time and effort to bring change within the scope of child sex offender residency laws. I am in full support of you and *Kansas Rights 4 Kids* bringing this issue to the State Legislature for review and action.

In my opinion it is very wrong for the State of Kansas to allow child sex offenders to live in close proximity to schools. This, in my view helps enable them to perpetrate their perversion. I believe the State of Kansas should conduct new research in the states surrounding Kansas to determine the effectiveness of such residency restrictions enacted since 2006. I am also highly concerned that Kansas is surrounded by states with child sex offender residency restrictions, and that the lack of restrictions here in Kansas could lend to a huge influx of child sex offenders from other states.

Events like in Olathe, when neighborhood parents had to notify the police that a child sex offender, who moved to Kansas from another state, was preying on youth at Scarborough Elementary, gave me great concern. This situation shows me that the State needs to ensure that a comprehensive system is in place to monitor child sex offenders. Allowing child sex offenders to live in close proximity to schools does not provide the margin of safety required by the public.

Please feel free to contact me anytime if there is an opportunity for me to show support to *Kansas Rights 4 Kids* as it would be an honor.

With Sincere Thanks,

A handwritten signature in black ink that reads "Jim Skelton". The signature is written in a cursive style with a large, looped initial "J".

Councilman Jim Skelton

JS:bf

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